



**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

STEPHANIE GOODMAN,

§

Plaintiff,

§

v.

§

WAL-MART STORES TEXAS, LLC,

§

Defendant.

§

**CIVIL ACTION NO. 1:17-CV-359-TH
JURY**

**ORDER GRANTING MOTION FOR CONTINUANCE
AND AMENDING SCHEDULING ORDER**

Before the Court is *Plaintiff* Stephanie Goodman's and *Defendant* Walmart Stores Texas, LLC's *Agreed Motion for Continuance and Motion to Amend Scheduling Order* [Clerk's Docket No. 14] filed April 17, 2018. Having considered the motion, and taking into account that the motion is agreed, the Court is of the opinion that the motion should be granted.

IT IS THEREFORE ORDERED that *Plaintiff* Stephanie Goodman's and *Defendant* Walmart Stores Texas, LLC's *Agreed Motion for Continuance and Motion to Amend Scheduling Order* [Clerk's Docket No. 14] is **GRANTED AS MODIFIED HEREIN**.

IT IS FURTHER ORDERED that this case is **RESET** for jury selection and trial on March 18, 2019.

IT IS FURTHER ORDERED that the following deadlines are hereby **EXTENDED**:

June 15, 2018

Case specific disclosure due. *See infra at § II.* In lieu of paper disclosure, counsel may agree to produce discovery in alternative formats (i.e., electronically).

June 15, 2018

Exchange of privilege logs. Counsel shall exchange logs identifying the documents or information withheld and the basis for the claimed privilege in a manner that, without revealing the protected information, enables the other parties to assess the applicability of the protection.

June 27, 2018

Mediation scheduled. Counsel for plaintiff shall notify the Court of the name, address and telephone number of the agreed mediator and the date on which the mediation will occur.

July 6, 2018

Deadline to file motions for leave to amend pleadings. This deadline does not excuse counsel from filing motions for leave to amend where required by FEDERAL RULE OF CIVIL PROCEDURE 15(a).

September 21, 2018

Deadline to file dispositive motions. Summary judgment motions, responses and replies must comply with the requirements set forth in FEDERAL RULE OF CIVIL PROCEDURE 56, LOCAL RULE CV-56 and LOCAL RULE CV-7.

September 21, 2018

Mediation must occur by this date. Named individual parties and persons with settlement authority shall attend the mediation. Counsel for defendant shall advise the Court of the outcome of the mediation.

September 21, 2018

Disclosure of plaintiff's expert testimony in accordance with FEDERAL RULE OF CIVIL PROCEDURE 26(a)(2) and LOCAL RULE CV-26(b). After reports have been disclosed, experts may be deposed. Treating physicians are not required to provide expert reports absent good cause shown.

October 19, 2018

Disclosure of defendant's expert testimony in accordance with FEDERAL RULE OF CIVIL PROCEDURE 26(a)(2) and LOCAL RULE CV-26(b). After reports have been disclosed, defendant's experts may be deposed. Treating physicians are not required to provide expert reports absent good cause shown.

November 16, 2018

Deadline to file motions and objections to experts. Motions to exclude expert testimony shall be accompanied by a copy of the report and a deposition transcript. The Court will not consider motions or objections to experts filed in any form (e.g., motions in limine) after this date.

February 11, 2019

Discovery deadline. No discovery, with the exception of expert depositions, may be conducted after this date absent court order specifically approving.

February 18, 2019

Notice of intent to offer certified business records. Parties must give written notice of intent to offer certified business records pursuant to FEDERAL RULES OF EVIDENCE 902(11) and 902(12).

February 25, 2019

Plaintiff's portion of pre-trial order sent to defendant. Plaintiff shall provide its pre-trial order submissions to the defendant. *See* Appendix D to the LOCAL RULES.

March 4, 2019

Joint final pre-trial order due. Defense counsel is responsible for assembling the parties' submissions and filing the proposed order. *See* Appendix D to the LOCAL RULES.

March 4, 2019

Motions in limine due.

March 4, 2019

Proposed jury instructions and verdict form due. Counsel for plaintiff is responsible for filing the joint proposed jury instructions and verdict form. Instructions should include a citation to the source of each proposed instruction. Those portions of the instructions on which counsel cannot agree shall be set forth in bold face type. Counsel for plaintiff shall also provide the instructions to the Court on a computer diskette (WordPerfect compatible).

March 4, 2019

Pre-trial objections due. Objections to the use of depositions, documents, certified business records, summaries of evidence and exhibits at trial. Objections not made at this time, with the exception of objections under FEDERAL RULES OF EVIDENCE 402 and 403, shall be deemed waived.

March 11, 2019

Responses to motions in limine due.

March 13, 2019

Pre-marked exhibit list due.

March 15, 2019

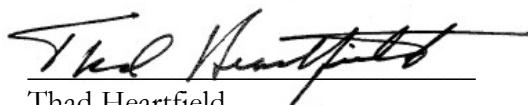
Pre-trial exchange. Counsel shall exchange: (1) trial witness lists (identifying those witnesses whose testimony is expected to be presented live versus by means of deposition) and (2) demonstrative exhibits to be utilized in opening statements and trial that will not be offered into evidence.

March 18, 2019

Date parties should be prepared to try case. Cases will be set for trial at Court's discretion within 20 days from this date or reset to the next docket.

SO ORDERED.

SIGNED this the **30** day of **May, 2018**.



Thad Heartfield
United States District Judge